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## Local Government & Housing Committee

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### SSB 5705

**Brief Description:** Regarding voting rights in special districts.

**Sponsors:** Senate Committee on Government Operations & Elections (originally sponsored by Senator Swecker).

#### Brief Summary of Substitute Bill

- Creates a new category of special district consisting of flood control districts located within three or more counties.
- Revises voting and election requirements with respect to flood control districts located within three or more counties.

**Hearing Date:** 3/23/09

**Staff:** Thamas Osborn (786-7129)

#### Background:

State law authorizes the creation and operation of various "special districts" for the purpose of providing diking, drainage, and flood control facilities and services. "Special district" is defined to mean:

- flood control district.
- diking district;
- drainage district;
- diking, drainage, and/or sewerage improvement district;
- intercounty diking and drainage district; or
- consolidated diking district, drainage district, diking improvement district, and/or drainage improvement district.

The owner of land located in a special district who is a qualified voter of that district may cast two votes at a district election. If multiple undivided interests, other than community property

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interests, exist in a lot or parcel and no person owns a majority undivided interest, the owners of undivided interests at least equal to a majority interest may designate in writing:

- which owner is eligible to vote and that designated owner may cast two votes; or
- which two owners are eligible to vote and each designated owner may cast one vote.

If land is owned as community property, each spouse is entitled to one vote if both spouses otherwise qualify to vote, unless one spouse designates in writing that the other spouse may cast both votes.

A corporation, partnership, or governmental entity must designate:

- a natural person to cast its two votes; or
- two natural persons to each cast one of their votes.

With limited exceptions, no owner of land may cast more than two votes or have more than two votes cast for him or her in a special district election.

**Summary of Bill:**

The act creates a new category of special district consisting of those special flood control districts located in three or more counties (three county districts).

All registered voters within a three county district are qualified to vote in elections and each may cast a single vote. Property ownership within a three county district is not a factor with respect to voting rights, thus eligible landowners are not entitled to cast two votes.

An election in a three county district may be held on any date authorized by law and the holding of such election is not limited to the first Tuesday following the first Monday in November in odd-numbered years.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.